

### **DETAILED ACTION**

In response to BPAI - Decision on Appeal- Reversed @ page 7 Dated 10/01/2009, and telephone interviewed on 10/14/2009, the examiner's amendment was authorized by attorney of record Brenda M. Leeds Binder, Attorney for Applicants.

- Claims 1, 11-12, 22, 24, 34-35, 45, and 47-52 are pending.
- Claims **24, 35 and 45 are currently amended.**
- Claims 2-10, 23, 25-33 were previously canceled.
- Claims **13-21 and 36-44 are currently canceled.**

Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

### ***EXAMINER'S AMENDMENT***

The application has been amended as follows:

*In the Claims:*

- Please replace the claims with the following claim set:

Claim 1 (Previously Presented) A computer-implemented method for generating an audio-based form represented electronically as a digital audio file, the audio-based form including one or more data fields, the method comprising:

defining zoning information identifying a temporal location and temporal dimensions of the one or more data fields of the audio-based form;

defining structural information including a name for each of the one or more data fields and a description of a type of user data expected to be provided for each of the one or more data fields, where the audio-based form comprises audio signals recording a voice speaking a name of a data field followed by a pause during which a user can speak the user data expected to be provided for the data field;

encoding the zoning and structural information in one or more audio signals; and

incorporating the one or more audio signals including the encoded zoning and structural information into the audio-based form.

Claims 2-10 (Cancelled).

Claim 11 (Previously Presented) The method of claim 1, wherein data entered on the form by a user can be extracted from the audio-based form based on the encoded zoning and structural information without access to a source of zoning or structural information external to the form.

Claim 12 (Previously Presented) A computer-implemented method for creating an audio-based form represented electronically as a digital audio file, the audio-based form including one or more data fields, the method comprising:

generating a form definition defining the audio-based form, the form definition zoning information identifying a temporal location and temporal dimensions of the one or more data fields and structural information including a name for each of the one or more data fields and a description of a type of user data expected to be provided for each of the one or more data fields, where the audio-based form comprises audio signals recording a voice speaking a name of a data field followed by a pause during which a user can speak the user data expected to be provided for the data field;

encoding the zoning and structural information into one or more audio signals;  
and

incorporating the one or more audio signals including the encoded zoning and structural information into the audio-based form;

wherein audio data entered into the audio-based form by a user can be extracted from the audio-based form based on the encoded zoning and structural information without access to a source of zoning or structural information external to the audio-based form.

**Claims 13-21 (Cancelled).**

Claim 22 (Previously Presented) A computer-implemented method for creating an audio-based form represented electronically as a digital audio file, the audio-based form including one or more data fields, the method comprising:

generating a form definition defining the audio-based form, the form definition including zoning information identifying a temporal location and temporal dimensions of the one or more data fields, where the audio-based form comprises audio signals recording m a voice speaking a name of a data field followed by a pause during which a user can speak the user data expected to be provided for the data field;

encoding the zoning information in one or more audio signals; and

incorporating the one or more audio signals including the encoded zoning into the audio-based form;

wherein data entered into the audio-based form by a user can be extracted from the audio- based form based on the encoded zoning information without access to a source of zoning information external to the audio-based form.

Claim 23 (Cancelled).

**Claim 24 (Currently Amended)** A computer program product, tangibly stored on a machine-readable storage device ~~computer-readable-medium~~, for generating an audio-based form represented electronically as a digital audio file, the audio-based form including one or more data fields, comprising instructions operable to cause a programmable processor to:

define zoning information identifying a temporal location and temporal dimensions of the one or more data fields of the form;

define structural information including a name for each of the one or more data fields and a description of a type of user data expected to be provided for each of the one or more data fields, where the audio-based form comprises audio signals recording a voice speaking a name of data field followed by a pause during which a user can speak the user data expected to be provided for the data field;

encode the zoning and structural information into one or more audio signals; and  
incorporate the one or more audio signals including the encoded zoning and structural information into the audio-based form.

Claims 25-33 (Cancelled)

Claim 34 (previously Presented) The computer program product of claim 24, wherein data entered on the audio-based form by a user can be extracted from the audio-based form based on the encoded zoning and structural information without access to a source of zoning or structural information external to the audio-based form.

**Claim 35 (Currently Amended)** A computer program product, tangibly stored on a machine-readable storage device ~~computer-readable medium~~, for creating an audio-based form represented electronically as a digital audio file, the audio-based form including one or more data fields, comprising instructions operable to cause a programmable processor to:

generate a form definition defining the audio-based form, the form definition including zoning information identifying a temporal location and temporal dimensions of the one or more data fields and structural information including a name for each of the one or more data fields and a description of a type of user data expected to be provided for each of the one or more data fields, where the audio-based form comprises audio signals recording a voice speaking a name of data field followed by a pause during which a user can speak the user data expected to be provided for the data field;

encode the zoning and structural information into one or more audio signals; and  
incorporate the one or more audio signals including the encoded zoning and structural information into the audio-based form;

wherein data entered into the form by a user can be extracted from the audio-based form based on the encoded zoning and structural information without access to a source of zoning or structural information external to the audio-based form.

**Claims 36-44 (Cancelled).**

**Claim 45 (Currently Amended)** A computer program product, tangibly stored on a machine-readable storage device ~~computer-readable medium~~, for creating an audio-based form represented electronically as a digital audio file, the audio-based form including one or more data fields, comprising instructions operable to cause a programmable processor to:

generate a form definition defining the audio-based form, the form definition including zoning information identifying a temporal location and temporal dimensions of the one or more data fields, where the audio-based form comprises audio signals recording a voice speaking a name of a data field followed by a pause during which a user can speak the user data expected to be provided for the data field;

encode the zoning information into one or more audio signals; and

incorporate the one or more audio signals including the encoded zoning information into the audio-based form;

wherein data entered into the audio-based form by a user can be extracted from the audio-based form based on the encoded zoning information without access to a source of zoning information external to the form.

Claim 46 (Cancelled).

Claim 47 (Previously Presented) The method of claim 1, further comprising:

encoding instructions indicating where and how to transmit user data extracted from the audio-based form into one or more audio signals; and

incorporating the one or more audio signals including the encoded instructions into the audio-based form.

Claim 48 (Previously Presented) The method of claim 12, further comprising:

encoding instructions indicating where and how to transmit user data extracted from the audio-based form into one or more audio signals; and  
incorporating the one or more audio signals including the encoded instructions into the audio-based form.

Claim 49 (Previously Presented) The method of claim 22, further comprising:

encoding instructions indicating where and how to transmit user data extracted from the audio-based form into one or more audio signals; and  
incorporating the one or more audio signals including the encoded instructions into the audio-based form.

Claim 50 (Previously Presented) The computer program product of claim 24, further comprising instructions operable to cause a programmable processor to:

encode instructions indicating where and how to transmit user data extracted from the audio-based form into one or more audio signals; and  
incorporate the one or more audio signals including the encoded instructions into the audio-based form.

Claim 51 (Previously Presented) The computer program product of claim 35, further comprising instructions operable to cause a programmable processor to:

encode instructions indicating where and how to transmit user data extracted from the audio-based form into one or more audio signals; and



incorporate the one or more audio signals including the encoded instructions into the audio-based form.

Claim 52 (Previously Presented) The computer program product of claim 45, further comprising instructions operable to cause a programmable processor to:

encode instructions indicating where and how to transmit user data extracted from the audio-based form into one or more audio signals; and

incorporate the one or more audio signals including the encoded instructions into the audio-based form.

***Allowable Subject Matter***

❖ Claim(s) 1, 11-12, 22, 24, 34-35, 45, and 47-52 are allowed.

The reasons for the indication of allowable subject matter can be found in the BPAI - Decision on Appeal- Reversed @ page 7 Dated 10/01/2009.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is 571-272-8664. The examiner can normally be reached on Mon through Fri 8AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on (571)272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Quoc A. Tran/  
Examiner, Art Unit 2176

/DOUG HUTTON/  
Supervisory Patent Examiner, Art Unit 2176